

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

**IN RE: REQUEST FOR JUDICIAL
ASSISTANCE FROM THE DISTRICT
COURT IN ZVOLEN, SLOVAK REPUBLIC
IN THE MATTER OF
MONIKA KOLOŠTOVÁ V. ALDO
MAURÍCIO JACOME**

CASE NO. 21-mc-698

**MOTION TO COMPEL WITNESS TO COMPLY WITH COMMISSIONER'S
SUBPOENA**

COMES NOW the undersigned Commissioner of this Court, who hereby requests an Order to compel the witness, Aldo Maurício Jacome, to provide a written affidavit in response to the request for judicial assistance received from the District Court in Zvolen, Slovak Republic ("Slovak Republic Court").

1. The Slovak Republic Court issued a request for judicial assistance pursuant to the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, Mar. 18, 1970, 23 U.S.T. 2555, 847 U.N.T.S. 12140 [hereinafter HCCH 1970 Evidence Convention].

requesting that written affidavit testimony be obtained from Aldo Mauricio Jacome in regard to the above-captioned matter.

2. On November 19, 2021, pursuant to an Application, the Court appointed the undersigned as Commissioner pursuant to 28 U.S.C. § 1782 for obtaining the evidence in response to the request sent from the Slovak Republic Court.

3. As Commissioner, the undersigned issued a subpoena requesting the written affidavit. on January 5, 2022. *See* ECF No. 1-5, Commissioner's Subpoena.

4. The subpoena was personally served on Aldo Maurício Jacome on January 5,

2022. *See* ECF No. 3, Affidavit of Service.

5. The witness failed to provide the evidence within thirty days, as required by the subpoena.

6. Therefore, Aldo Maurício Jacome received proper service of the subpoena requesting written affidavit testimony on January 30, 2022, but failed to comply by the date indicated in the subpoena.

Wherefore, it is respectfully requested that the Court enter an Order requiring the witnesses to comply with the Commissioner's subpoena.

Dated: February 15, 2022

Respectfully submitted,

Erek L. Barron
United States Attorney

By: /s/
Sarah A. Marquardt (Bar No. 17294)
Assistant United States Attorney

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**[PROPOSED] ORDER GRANTING MOTION TO COMPEL WITNESS TO COMPLY
WITH COMMISSIONER'S SUBPOENA**

Upon consideration of the Motion to Compel Witness to Comply with the International Request for Judicial Assistance, IT IS ORDERED THAT the Motion be and hereby is granted;

IT IS FURTHER ORDERED that the witness, Aldo Maurício Jacome, shall provide written affidavit testimony in response to the Slovak Republic Court's request by the ____ day of _____, 2022 pursuant to 28 U.S.C. § 1782(a).

SO ORDERED the ____ day of _____, 2022.

The Honorable Lydia Kay Griggsby
United States District Judge